REMARKS/ARGUMENTS

The Applicants have carefully considered this application in connection with the Examiner's Action and respectfully request reconsideration of this application in view of the foregoing amendment and the following remarks.

The Applicants originally submitted Claims 1-42 in the application. In a previous response, the Applicants cancelled claims 8 and 18 without prejudice or disclaimer. In this response, the Applicants have amended Claims 1, 11 and 19 without prejudice or disclaimer. Support for the amendments can be found at ¶ [0026] on pages 13-14 of the application as filed. The Applicants have also presented new Claims 43 and 44. Accordingly, Claims 1-7, 9-17 and 19-44 are currently pending in the application.

I.   Formal Matters

The Applicants note with appreciation that prosecution has been reopened after favorable consideration of a pre-appeal brief filed on April 26, 2006. The Applicants further note with appreciation that the Examiner has indicated that Claims 21-42 are allowed.

II.   Rejection of Claims 1-7, 9-17, 19 and 20 under 35 U.S.C. § 103

The Examiner has rejected Claims 1-7, 9-17, 19 and 20 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,792,502 B1 to Pandya in view of U.S. Patent No. 6,959,316 B1 to Parviainen. The Applicants respectfully traverse the rejection, because the cited combination does not teach or suggest each and every element of amended independent Claims 1 and 11.

Amended Claims 1 and 11 include the limitation "an array of arithmetic logic units dynamically configurable to implement a plurality of application level functions capable of generating meta-data." The Examiner concedes that Pandya does not teach dynamically configurable arithmetic logic units. (*See* Examiner's Action, page 2.) As such, Pandya does not teach or suggest the recited limitation. Looking to Parviainen, the Examiner cites col. 7, lines 36-40, for teaching "ALUs that are dynamically configurable." (*See* Examiner's Action, page 3.) However, Parviainen does not teach the claim limitation at issue. On the contrary, while Parviainen teaches the ALUs are "splittable or combinable" to achieve width scaling (*see* col. 7, lines 39-50), the Applicants do not find where Parviainen discloses the ALUs are dynamically configurable to implement a plurality of application level functions. As such, Parviainen does not teach or suggest the added limitation of amended independent Claims 1 and 11.

Furthermore, even if the quoted teaching could be construed as teaching implementing a plurality of application level functions, while maintaining that it cannot, the cited combination still fails to support a *prima facie* case of obviousness. "In order to render a claimed apparatus ... obvious, the prior art must enable one skilled in the art to make and use the apparatus...." (Beckman Instruments, Inc. v. LKB Produkter AB, 892 F.2d 1547, 13 USPQ2d 1301 (Fed. Cir. 1989)) However, the cited portions of Pandya and Parviainen do not enable a plurality of application level functions, and the Applicants do not find such enablement elsewhere in these references. Therefore, Claims 1 and 11 are nonobvious under 35 U.S.C. 103(b).

The combination of Pandya and Parviainen also fails to support a *prima facie* case of obviousness of amended Claim 19. The Examiner has not cited, and the Applicants do not find, any

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teaching or suggestion of an application level function that is an adaptive pulse code modulation (ADPCM), an Internet Protocol encryption, an Internet Protocol decryption, a network-address translation (NAT), a validation of packets, a protocol packetization, or quality-of-service metrics, as recited in Claim 19. Because these functions are not found in the combination of Pandya and Parviainen, the combination fails to teach or suggest each and every limitation of Claim 19, and the claim is nonobvious under 35 U.S.C. 103(b).

For at least these reasons, Parviainen fails to cure the deficiency of Pandya, and the cited combination fails to support a *prima facie* case of obviousness. Therefore, Claims 1 and 11, and those claims depending therefrom, are not unpatentable in view of the cited combination. Moreover, for the reasons set forth above, Claim 19 is not unpatentable over the cited combination. Accordingly, the Applicants respectfully request that the Examiner reverse the rejection under 35 U.S.C. § 103(a) of claims 1-7, 9-17, 19 and 20, and allow issuance thereof.

III. New Claims

The Applicants present new Claims 43 and 44 for examination. The Applicants respectfully submit that these claims are novel and nonobvious over the references of record. Support for Claim 43 may be found at ¶ [0028] on page 15 of the Application as filed, and support for Claim 44 may be found in ¶ [0026] on page 14 thereof.

IV.   Conclusion

In view of the foregoing amendment and remarks, the Applicants now see all of the Claims currently pending in this application to be in condition for allowance and therefore earnestly solicit a Notice of Allowance for all of the pending Claims including Claims 1-7, 9-17, 19, 20, 43 and 44.

The Applicants request the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present application. The Commissioner is hereby authorized to charge any fees, credits or overpayments to Deposit Account 08-2395.

Respectfully submitted,

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Dated: September 28, 2006

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